

REMARKS

The following remarks are submitted to be fully responsive to the Official Action dated November 2, 2006. This response is thus timely submitted within the three-month shortened statutory period for response as extended by the one-month extension of time filed herewith. It is believed that no other fee is required in filing this Response. However, should any additional fees be required, the Commissioner is authorized to charge Kagan Binder Deposit Account No. 50-1775 and thereafter notify us of the same. Reconsideration of all outstanding grounds of the rejection and allowance of the subject application are believed in order and respectfully requested.

Claims 1-20 were pending in the above-identified patent application. Claims 1-20 were rejected by the Examiner on the ground of non-statutory obviousness-type double patenting with respect to parent case, U.S. Pat. No. 6,692,513.

Regarding the non-statutory obviousness-type double patenting rejection, a Terminal Disclaimer is enclosed and is timely filed with this response in compliance with 37 C.F.R. 1.321(c) to overcome the rejection. Thus, the non-statutory obviousness-type double patenting rejection of original claims 1-20 has been overcome.

Applicants further note that the non-statutory obviousness-type double patenting rejection is the only rejection of record in the present application, and that upon having overcome the non-statutory obviousness-type double patenting rejection as discussed above, the case is in condition for allowance. The restriction requirement and section 102 rejection presented in the parent case (now U.S. Pat. No. 6,692,513) to the present application were not repeated in the first Official Action to which this Response is responsive. Therefore, it is understood that the Examiner has now deemed the claims 1-20 as patentable, in particular over the reference of record, Barbut (U.S. Pat. No. 5,769,816), with no further comment being necessary by Applicants. Moreover, with claims 1 and 16 being allowable and generic to each of the dependent claims, an election of species would be improper.

Accordingly, it is submitted that claims 1-20 are currently in condition for allowance, a notice of which is earnestly solicited. If the Examiner finds any issue remaining after consideration of this response, the Examiner is invited to contact the undersigned, at the Examiner's convenience, in order to expedite any remaining prosecution.

Respectfully Submitted,

By:


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